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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 SAN FRANCISCO DIVISION

8 SURGICAL INSTRUMENT SERVICE
9 COMPANY, INC.,

10 *Plaintiff,*

11 vs.

12 INTUITIVE SURGICAL, INC.,

13 *Defendant.*

No. 3:21-cv-03496-AMO

14 **[PROPOSED] ORDER GRANTING**
15 **DEFENDANT'S MOTION FOR**
16 **LIMITED SUPPLEMENTAL**
17 **DISCOVERY**

18 The Honorable Araceli Martínez-Olguín
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21 Upon consideration of Defendant Intuitive Surgical, Inc.'s Motion for Limited
22 Supplemental Discovery, IT IS HEREBY ORDERED that the motion is GRANTED as follows:

- 23 1. Plaintiff SIS is ordered to produce within 14 days updated financial statements
24 and documents reflecting its sales to, and contracts with, hospital customers since
25 November 2022.
26 2. Plaintiff SIS is ordered to produce within 14 days documents relating to its efforts
27 to compete to develop and/or sell reset EndoWrists since November 2022,
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1 including but not limited to any efforts to partner with Restore, Rebotix,
2 Iconocare, Encore, or other third parties to do so.

- 3 3. SIS is ordered to produce within 45 days a corporate representative to sit for a
4 deposition pursuant to Federal Rule of Civil Procedure 30(b)(6), on the topic of
5 SIS's efforts to compete in the alleged market for repaired or replacement
6 EndoWrists since November 2022.
- 7 4. Intuitive is granted leave to serve one subpoena pursuant to Federal Rule of Civil
8 Procedure 45 on each of Restore, Rebotix, Iconocare, and Encore, respectively,
9 seeking documents regarding the development and/or sale of repaired or
10 remanufactured EndoWrists since November 2022.
- 11 5. Intuitive may conduct up to five trial depositions of non-party witnesses whose
12 testimony will be presented at trial by deposition.
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15 **IT IS SO ORDERED.**

16 Dated _____, 2024

BY THE COURT:

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18 HON. ARACELI MARTÍNEZ-OLGUÍN
19 United States District Judge
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